

PROB 12B
(7/93)

Report Date: October 9, 2009

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

OCT 15 2009

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Miguel Sandoval-Arellano

Case Number: 2:02CR02052-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 9/17/2002

Type of Supervision: Supervised Release

Original Offense: Conspiracy to Possess and Attempt
to Distribute Methamphetamine, 21 U.S.C. §§
841(a)(1) and 846

Date Supervision Commenced: 5/21/2007

Original Sentence: Prison - 72 Months; TSR - 60
Months

Date Supervision Expires: 5/20/2012

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 15 You shall reside in a residential reentry center for a period of up to 180 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

On June 19, 2009, the Court entered an order modifying the defendant's supervised release for violating conditions of his supervision. He was ordered to be released from custody on July 7, 2009 and immediately enter the residential reentry center for 180 days. The defendant was not entitled to the benefits of the prerelease component.

Mr. Sandoval-Arellano entered the Franklin County Residential Reentry Center (RRC) as required, and is scheduled to complete his 180-day term on January 3, 2010. The primary reasons the defendant was placed at the RRC was to grant him the opportunity to be closely monitored while he obtained a substance abuse assessment and as he completed his job search. Mr. Sandoval-Arellano completed his assessment at First Steps Community Counseling Services on August 11, 2009, and was found to have insufficient symptoms to indicate abuse or addiction, and treatment services were not recommended. Additionally, the defendant has found employment at Tyson Foods in Pasco, Washington.

At this time, based on the defendant's compliance with completing his assessment and finding employment, it does not appear that continuing at the RRC without a prerelease component would be beneficial to either the defendant or the RRC.

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The above-noted modification would allow the defendant to receive the prerelease component. This officer respectfully recommends that upon the Court's approval of this modification, the defendant be allowed to be placed on electronic home monitoring for the remainder of his 180-day term, which is January 3, 2010.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 9, 2009

Sanjuanita B. Coronado

SanJuanita B Coronado
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other

Fred Van der Bell

Signature of Judicial Officer

Oct 15, 2009

Date

PROB 49
(3/89)

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 15 You shall reside in a residential reentry center for a period of up to 180 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

Witness:

SanJuanita B. Coronado
SanJuanita B Coronado
U.S. Probation Officer

Signed:

Miguel Sandoval
Miguel Sandoval-Arellano
Probationer or Supervised Releasee

October 8, 2009

Date